

Document: Notice of Intent to Adopt a Rule

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**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #01-303

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 5-24-4 to add that reimbursement for legend drugs reimbursed by the Indiana Health Coverage programs shall be the lower/lowest of the following: (1) The estimated acquisition cost of the drug as of the date of dispensing, plus any applicable Medicaid dispensing fee. (2) If applicable, the federal maximum allowable cost (MAC) of the drug (as determined by the Centers for Medicare and Medicaid Services under 42 CFR 447.332) as of the date of dispensing, plus any applicable Medicaid dispensing fee. (3) If applicable, the state maximum allowable cost (MAC) of the drug (as determined by the office) as of the date of dispensing, plus any applicable Medicaid dispensing fee. (4) The provider's submitted charge, representing the provider's usual and customary charge for the drug, as of the date of dispensing; minus a recipient copayment amount, where applicable. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.